

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CONSOLIDATED COMMERCIAL)	
CONTROLS, INC. d/b/a ALLPOINTS)	
FOODSERVICE PARTS & SUPPLIES,)	
)	
Plaintiff,)	Case No. 08 CV 4388
)	
v.)	Judge Virginia Kendall
)	
5 STAR SUPPLY LLC, 5 STAR MANAGEMENT)	Magistrate Judge Michael T. Mason
GROUP, LLC, LINDA A. WILLIAMS,)	
CLIFFORD G. WILLIAMS II, STEPHEN J.)	
PURSEL, PHILIP J. CARUSO, AND ROBERT)	
G. MASTROFRANCESCO,)	
)	
Defendants.)	

PLAINTIFF'S RENEWED MOTION FOR EXPEDITED DISCOVERY

Plaintiff Consolidated Commercial Controls, Inc. d/b/a AllPoints Foodservice Parts & Supplies ("CCC"), by its attorneys and pursuant to Federal Rules of Civil Procedure 26, 33, and 34, hereby renews its motion for expedited discovery in advance of any ruling on its motion for preliminary injunction. In support of this motion, CCC states as follows:

1. On August 1, 2008, CCC filed its Verified Complaint for Injunctive and Other Relief ("Verified Complaint"), seeking equitable and legal relief for breach of contract, actual and threatened misappropriation of trade secrets, breach of fiduciary duty, conversion, conspiracy, and violations of the Computer Fraud and Abuse Act, 18 U.S.C. § 1030, based upon Defendants' continued efforts to found a competitive business using CCC's confidential and trade secret information.

2. On August 8, 2008, CCC also filed a Motion for Preliminary Injunction and Expedited Discovery, as well as a Motion for Preservation Order and Forensic Examination.

3. On August 13, 2008, the Court entered an Order taking Plaintiff's motions under advisement and setting a response date of August 29, 2008 and a reply date of September 8, 2008. The Court further advised that it would rule by mail.

4. In order to fairly present its case, CCC renews its request for an opportunity to engage in expedited discovery through deposition, document production, and interrogatory responses. CCC proposes:

(a) each party serve written discovery, including document requests and interrogatories, within one (1) week of the hearing of this Motion and respond to said written discovery within three (3) weeks of service;

(b) depositions proceed by notice of deposition, at dates, times and locations to be agreed upon by the parties, and continue until the date of the preliminary injunction hearing;

(c) setting this matter for a preliminary injunction hearing; and

(d) striking the August 29, 2008 response date and September 8, 2008 reply date found in the August 13, 2008 Order so that the parties can submit response and reply briefs that take into account the information revealed during discovery.

WHEREFORE, CCC respectfully requests that this Court grant its renewed motion for expedited discovery.

Respectfully Submitted,

CONSOLIDATED COMMERCIAL CONTROLS,
INC., d/b/a ALLPOINTS FOODSERVICE PARTS
& SUPPLIES

By: /s/ Jeffrey L. Rudd
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